

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

June 7, 2011

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:07 a.m. on June 7, 2011.
 - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Michael Christoffersen
Tom Cloud
Michael Corey
David Hannum, Chairman
John Hawkins
Todd Hite, representing the Commissioner, Department of Health
Matt Mitchell
Ted Ogle, Vice-Chairman
Mattie Sims, representing the Commissioner, Department of Labor
 - (b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services
Shelly Wakefield, Manager, Code Technical Development
Denise Fitzpatrick, Code Specialist
Cecilia Ernstes-Boxell, Code Specialist
John Haines, Code Specialist
Beth Sutor, Secretary
 - (c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

Chairman Hannum welcomed the newest member, Tom Cloud, to the Fire Prevention and Building Safety Commission. Mr. Cloud holds an architectural degree from Ball State University, and has practiced in the Indianapolis area for many years. He stated he felt he was “giving back” to his profession by serving on the Commission.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the May 4, 2011 meeting as distributed. A motion to approve the minutes was made by Commissioner Corey and seconded by Commissioner Mitchell. It was voted upon and carried.

3. Variances.

Tabled Variances.

Variance 11-03-7 PNC Bank, Indianapolis, was to file an addendum with Plan Review. Mara Snyder stated they had filed, and no longer needed the variance. Variance 11-05-5 Sherman Park Building #2, Indianapolis, was represented by Calvin Holtquist, Disposal Alternatives Organization, LLC. His organization had worked with the Indianapolis Fire Department on the safety and code issues for the building which had been abandoned and was being refitted for their recycling business. While he acknowledge that the best protection would be sprinklers, to replace the piping and sprinkler system which had been stripped from the building by vandals would cost over \$300,000, an amount impossible for them to provide. Fire extinguishers and an ADT monitored smoke detection system had already been installed within the building, with plans to install zone heat detectors as well. Staff included professional firefighters who would train employees for fire drills. Exits are clearly lit, with panic hardware on the doors. A wall which divides the storage from the processing areas will have a garage door and human door openings. Pull stations are also to be installed. Following discussion, Commissioner Christoffersen, noting the list of safety measures to be taken submitted with the application, moved to approve, with the second by Commissioner Brenner. It was voted upon and carried, with one nay vote. Variance 11-05-11 Mother Bear’s Pizza, Bloomington, had been withdrawn. Variance 11-05-11 Senior Care Inc, Indianapolis, was represented by Chester Newton. He had been asked to provide a quote for sprinklers, and had a price from Koorson for \$24,600, which did not include underground piping. The remainder of the building was not sprinklered. Marvin Johnson had provided the drawings for the proponent, and explained some of the details of the plans. Commissioner Christoffersen voiced concern about multiple intervening rooms and travel distance. It was suggested they talk to their architect concerning life safety issues and exiting problems. It was also suggested they talk to the owner to see if they would share the cost of installing sprinklers. Commissioner Christoffersen moved to table, with the second by Commissioner Hawkins, to allow time for these meetings. It was voted upon and carried. Variance 11-05-27(a)(b) JAE Hardwoods, Wolcotteville, 11-05-29(a)(b) Meadowview School, Topeka, and 11-05-31(a)(b) Hidden Cove, Shipshewana, were presented by Cary Knott. Variance 11-05-27(a)(b) had been called out originally by Commissioner Brown. He asked if the owner had thought about installing automatic roof vents. Mr. Knott noted that this was a rural, Amish community, and that there was no public water for sprinklers and no power lines to their buildings. He would, he said, get with the owners and ask if they would consider it. The wood processed in the building was wet wood, producing waste which resembled mulch. Following discussion, Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Christoffersen. It was voted upon and carried, with one nay. Variance 11-05-29(a) was to omit sprinklers and (b) was to allow exit signage which was not illuminated. Commissioner Brown asked if the teacher had living quarters above the school room. Mr. Knott said there were living quarters on the second floor, with a 2-hour separation between the first and second floor. Commissioner Brown asked if they had considered a 13-D sprinkler system, and was told no. The issues in variance 11-05-31(a) and (b) were the same as in variance 11-05-29(a)(b). Lonnie Lagle, Fire and Building Code Enforcement, advised the Commission that the department had an inspector in the area working with the Amish community on their building issues, and maintaining a working relationship with their leadership. The entry and ceiling were to be rated with a fire door, and the basement ceiling was to have 2 layers of drywall on each side. The windows met egress requirements and the basement had 2 exits. Commissioner Christoffersen moved to approve variance 11-05-29(a)(b), with the second by Commissioner Ogle. It was voted upon and carried with one nay. Commissioner Christoffersen, when the proponent confirmed the Hidden Cove construction would be provided with the same protection, moved to approve 11-05-31(a)(b). Commissioner Brenner made the second. It was voted upon and carried, with one nay. The proponent had requested 11-05-36 Schenk Living Quarters, Evansville, be tabled for 30 days. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

Regular Variances.

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. Commissioner Brenner called out # 11-06-45 Purdue Extension Office Harrison County, Corydon. Commissioner Hawkins advised he would abstain from voting on variances 11-06-63 Indiana National Guard Operational Readiness Training Complex #1, Edinburgh, and 11-06-64 Indiana National Guard Operational Readiness Training Complex #2, Edinburgh. Commissioner Christoffersen advised he would abstain from voting on variances 11-06-54 Yellow Retirement of N. Clinton, Ft. Wayne, and 11-06-55 Allisonville Retirement Community, Fishers. Commissioner Mitchell advised he would abstain from voting on variance 11-06-24 Noblesville Fire Station #7, Noblesville. Commissioner Corey moved to approve all variances with an "A" or "B" recommendation by staff, with the second by Commissioner Mitchell. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 11-04-19(b) Dubois County 4-H Fairgrounds, Huntingburg
- (2) 11-06-2 1721 N. Lincoln Street Window Egress, Bloomington
- (3) 11-06-4 Saint Vincent Carmel Third Floor Remodel, Carmel
- (4) 11-06-9 Telko Windows, Bloomington
- (5) 11-06-10 566 Graham Place Windows, Bloomington
- (6) 11-06-11 510 Graham Place Windows, Bloomington
- (7) 11-06-12 John Deere New Product Launch, Indianapolis
- (8) 11-06-13 IU Teter Quad Wissler Wing Restroom Renovation, Bloomington
- (9) 11-06-14 IU McNutt Quad Dejoya Wing Restroom Renovation, Bloomington
- (10) 11-06-15 342 E. 30th Street Renovation, Indianapolis
- (11) 11-06-17 741-743 Park Square Drive Windows, Bloomington
- (12) 11-06-23 Baja Fresh- Indiana Memorial Union, Bloomington
- (13) 11-06-24 Noblesville Fire Station #7, Noblesville
- (14) 11-06-25 Shelbyville Fire Station #2, Shelbyville
- (15) 11-06-26 Pike Township Fire Station #114, Indianapolis
- (16) 11-06-28 Riley Hospital Phase V Addition, Indianapolis
- (17) 11-06-33(a) Liberty Hall Partial Interior Renovation, Indianapolis
- (18) 11-06-34 CNH Outside Storage Building, Lebanon
- (19) 11-06-36 Saint Mary Medical Center, Hobart
- (20) 11-06-38 Saint Elmo Steak House, Indianapolis
- (21) 11-06-40(a)(b) J & L Bell Warehouse, Porter
- (22) 11-06-42(a)(b) Valparaiso University Academic Building, Valparaiso
- (23) 11-06-43 The Boulders at Deer Park Window Size, Bloomington
- (24) 11-06-44 Saint Meinrad Newman Hall Renovation, Saint Meinrad
- (25) 11-06-48 Anderson University East Gym Locker Room Addition, Anderson
- (26) 11-06-49 Maple Leaf Farms Interior Remodel, Leesburg
- (27) 11-06-53 Martinsville High School Concession Building, Martinsville
- (28) 11-06-62 Hamilton Southeastern Junior High School, Fishers
- (29) 11-06-68 Westport Chrysler Dodge, Vincennes

The following variances were heard separately:

- (30) 11-06-1 Mariah Creek Church, Oaktown

Matt Hoffman, Pastor, Stan Hartman, Secretary of the Board, and Eric Elkins, Building Committee member, spoke as proponents. The request was to omit sprinklers in the country church. A quote for the sprinkler system was \$300,000, and the available public water did not have sufficient pressure to feed

sprinkler heads. The sanctuary and the fellowship hall were to be separated by a 2-hour fire barrier, and the kitchen was a warming kitchen with residential equipment. Following further discussion, Commissioner Ogle moved to table to allow the proponents time to talk with the architect concerning The location of the fire barrier and the reduction in square footage. Commissioner Christoffersen made the second. It was voted upon and carried.

(31) 11-06-3 Casey's General Store, Veedersburg

Garth Hughes, Civil Engineering Consultants, spoke as proponent. The request was to omit the required vestibule and install a pressure differential switch to monitor and adjust pressure changes. The vestibule requirement was for pressure differentials in four story buildings, while these stores are single story, on a slab, with no attic. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Commissioner Hawkins asked for a formal interpretation from the agency saying that, for a building under 3,000 square feet, no variance would be needed if the proponent complied with the other elements of the IECC. Ms. Snyder agreed to pass along the request. After further discussion, the Commission agreed that their rule, ASHRAE 90.1, didn't require vestibules for spaces of 3,000 square feet or less.

(32) 11-06-5 Franklin Street Security, Columbus

No proponent was available for questions. Commissioner Christoffersen moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

(33) 11-06-6 Robby's Pub, Indianapolis

Nancy Long, A-1 Expeditors, spoke as proponent. Robby's Pub, a tenant in a strip mall, planned to expand his business into a space vacated by a tax office. This was a change from a "B" to an "A-2", and triggered the sprinkler requirement. The request was to omit sprinklers, as neither the tenant nor the owner can afford the \$50,000 it would cost to install sprinklers. There was a fire barrier between the tax office and the Subway it adjoins. There also was a fire barrier between the spaces currently occupied by the pub and the next tenant. The additional space would increase occupancy by 20 persons, and the pub will have four direct exits to the exterior. The kitchen has a suppression system in the hood. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried with one nay.

(34) 11-06-8 809 N. Walnut Street Windows, Bloomington

The application was incomplete and unable to be heard.

(35) 11-06-7 Americold Indianapolis, Indianapolis

The proponent had requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

(36) 11-06-16 Four Winds Resort

No proponent was available for questions. Commissioner Brenner moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (37) 11-06-18 Delphi CTC Building, Kokomo

Mark Goodwin, Facility Engineer, spoke as proponent. The fire alarm system, designed to cover all of the buildings in the compound, will be separated to cover separate buildings. The request was to not be required to bring the entire compound's fire alarm system into compliance due to the separation of coverage. A new fire alarm panel was being installed to monitor the CTC building, with appropriate audio and visual devices planned for installation with a completion date of 2013. Staff questioned whether or not the proponent needed a variance. Following discussion, Commissioner Christoffersen moved that no variance was required, with the second by Commissioner Mitchell. It was voted upon and carried.

- (38) 11-06-19 Zarate Banquet Hall, Indianapolis

Jorge Zarate, owner, spoke as proponent. The proponent had purchased an abandoned building to remodel into a banquet hall. The request was to omit sprinklers in the 4,500 square foot facility with an occupant load of 240 people. There are two doors from the front of the building, one from the back, and two more doors were to be installed. The kitchen was to be a warming kitchen. Fire extinguishers and smoke detectors were to be installed. Kyle Gottschammer, City of Lawrence Building Department, and Ken Lightle, City of Lawrence Fire Department, also addressed the Commission. They expressed concerns about the amount of parking, the exiting from the building, and accessibility for their fire equipment. Both asked the variance be denied. Following discussion, Commissioner Ogle moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

4. **Breaking and reconvening.** Vice-Chairman Ogle recessed the Commission at 10:34 a.m. He then reconvened the meeting, calling it back to order at 10:49 a.m.

- (39) 11-06-20 Saxony Court Apartments Fire Doors, Indianapolis

Jim Mierchek, a representative for Stallard & Associates, spoke as proponent. The laundry rooms in the basement of the building had become a hangout for local youths and, in the opinion of the management, a threat to the safety of the occupants of the building. They had removed the laundry room doors to open the area to public view. During an inspection by the Indianapolis Fire Department, they had been given an order to replace the doors. The request was to be allowed to not comply with the order. The proponent stated there was not a large amount of combustible material in the laundry room, and that a commercial service provided vent maintenance once a week. The floor/ceiling had wooden joists with an unknown rating, and the walls were of cinder block construction. One stairway leads out of the basement for any occupants of the laundry room and for the one tenant with the apartment across from the laundry room. There are smoke detectors in the laundry and on the second floor. Following discussion, Commissioner Christoffersen moved to deny, with the second by Commissioner Brenner. It was voted upon and carried.

- 409) 11-06-21 J & F Auto Upholstery, Indianapolis

Florence Henson, owner, spoke as proponent. The request was to allow a portion of the building to exceed the 400 foot allowable distance from a fire hydrant. No water main is located at the site of the building, and to install a main would cost over \$39,000 for construction only, and would require closing

Keystone Avenue to lay the piping. There would be approximately six people in the store, open Monday through Friday from 8am to 5pm, plus customers. Courtney Gorden, Indianapolis Fire Department, addressed the Commission and did not object to the variance. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (41) 11-06-22 Hoosier Interior Door, Goshen

No proponent was available for questions. Commissioner Brown moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

- (42) 11-06-27 Crosspointe Baptist Church and Christian Academy Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the building to comply with the 1992 Indiana Energy Conservation Code. It had been designed to that code, had been filed 28 days after the 2010 code went into effect, and released without ComCheck. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (43) 11-06-29(a)(b)(c)(d) Pierceton Train Depot, Pierceton

Mary Ellen Rudisel-Jordan, architect, spoke as proponent. A 1939 dining car was to be attached to the train depot and used as an additional dining area. In order to maintain the ambiance of the railcar, four variances were sought. The request in variance (a) was to allow the train car to not meet current Indiana Energy Conservation Code requirements. Variance (b) was to allow the use of the existing doorway of the dining car which does not comply with current code. Variance (c) was to allow the use of the existing railcar doorway though it doesn't comply with accessibility requirements. Variance (d) was to allow the handrails required for the exit to be omitted. Following discussion, Commissioner Christoffersen moved to approve all 4 applications, with the second by Commissioner Ogle. It was voted upon and carried.

- (44) 11-06-30 El Chile Poblano Authentic Mexican Restaurant, Alexandria

Doug Trent, RTM Consultants, spoke as proponent. The restaurant was to expand into an adjoining space, previously a pizza kitchen, for 80 additional seats, triggering the requirement to install sprinklers. The request was to omit sprinklers. A cost estimate of \$60,000 had been submitted for installation. The proponent offered to install two additional doors, and install a fire alarm system. It was suggested the wall separating the tenant and its future neighbor may be made into a fire barrier. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brenner. It was voted upon and carried, with one nay vote.

- (45) 11-06-31 Vernon Manor Children's Home, Wabash

Doug Trent, RTM Consultants, spoke as proponent. A statement from the facility documenting the impact fire alarm systems have on their patients was distributed. The request was to omit the strobes and alarms from patient rooms, while they were to be installed in all other public and common use areas as required. Commissioner Brenner moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

- (46) 11-06-32 Franciscan St. Francis Health Martinsville Medical Office, Martinsville

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit rated corridors in the medical office building. The tenant space will be provided with a manual fire alarm system and corridor smoke detection, not required by code. Maximum travel distance was 85 feet. Doors in the corridor will be solid core, steel jam doors. The facility will comply with NFPA 101 Life Safety Code. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried, with one nay vote.

- (47) 11-06-33(b) Liberty Hall Partial Interior Renovation, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The facility was a non-voluntary drug rehabilitation facility. The request was to omit a smoke control system from I-3 occupancy windows which are security glass. The facility had one smoke compartment and a secured courtyard where residents are taken during alarms. Doors would fail open in the sprinkled, non-combustible rated building. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (48) 11-06-35 Brownstone Apartments, Indianapolis

Timothy Callas, J & T Consulting, spoke as proponent. A building, listed on the historic register, was undergoing accessibility upgrades with the installation of an elevator in an existing stairway. The first floor level had dual access doors to exit to the exterior of the building, or to the interior. The other floors have only interior access. Some confusion arose over the possibility of dead space behind the elevator and access to this space. The proponent was unable to provide details at the presentation, and Commissioner Brenner moved to table to allow additional research. Commissioner Ogle made the second. It was voted upon and carried.

- (49) 11-06-37 RO Building – Tate & Lyle Sagamore, Lafayette

Timothy Callas, J & T Consulting, spoke as proponent. The request was to omit sprinklers in the addition of a reverse osmosis treatment plant used to treat steam tubes to an existing boiler house. The addition and existing building would not be sprinkled, though over area, for fear of a steam hazard and explosion should sprinklers discharge on the boilers. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Hite. It was voted upon and approved.

- (50) 11-06-41 City of Indianapolis Deep Rock Tunnel Connector Pump Station, Indianapolis

Timothy Callas, J & T Consulting, spoke as proponent. The new pump house was designed as a Class 1 structure, and will be at grade. The pump room was designed below grade, and will not be occupied beyond maintenance. Plan Review called the pump room a Class 1 structure because of a space identified as “office” on the plans, which made it necessary for the stair and elevator to comply with the IBC and Elevator Code. It had been unclear to staff if an office existed in the pump room. When the proponent stated that it did not, staff felt no variance was required since the room did not qualify as a Class 1 structure. Commissioner Ogle moved that no variance was required, with the second by Commissioner Corey. It was voted upon and carried.

- (51) 11-06-45 Purdue Extension Office Harrison County, Corydon

Ed Rensink, RTM Consultants, spoke as proponent. An existing building for the Harrison County Purdue Extension Office renovation did not install a hood over the residential range used for occasional adult cooking demonstrations. This complied with the International Mechanical Code, but not the Indiana Mechanical Code. The residential range in the rear of the demonstration area had a hood installed. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay vote.

- (52) 11-06-46 CNH Outside Storage Building, Lebanon

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A storage building constructed of steel columns, steel roof, and no walls, will have 60 foot side yards on three sides and a 28 foot side yard to the property line. This building, used to store steel, was not designed to be sprinklered but to use unlimited area provision. The property adjoins a commons area used for drainage to the retention pond, and unsuitable for construction. Storage of materials will be kept below 12 feet. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (53) 11-06-47 Legends Row at Eddy Street Commons Building D, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a 2-hour fire barrier between a condominium building and a parking garage owned by the City of South Bend. Both buildings are sprinklered, and openings in the barrier, 90 minute rated, were to be maintained per permanent agreement between parties. Exits are independent of the parking garage, but the garage can also be accessed from the condominiums. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (54) 11-06-50 Lucas Oil Stadium, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request was to allow three of the four pairs of doors between the tunnel and the stadium to be locked by mag locks, operated by card readers from the tunnel side for the staff, to maintain security. The remaining set of doors are a required exit, and were not to be secured by mag locks. The tunnel is monitored 24/7 by security, and call buttons are located at the doors for assistance. The locks will fail open upon activation of the fire alarm or sprinklers, and loss of power. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (55) 11-06-51(a)(b) Center for Nonviolence, Ft. Wayne

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The historic home was being converted to use as an office building. The request was to be allowed to use Rule 13 for its rehabilitation, though the three story home with basement was over the area allowed for use. The basement and the third level would not be accessible to the public, and manual fire alarms and smoke alarms would be installed throughout the building. Each level, including the basement, has two exits. Following discussion, Commissioner Christoffersen moved to approve (a) with the condition that only miscellaneous storage and mechanical equipment be allowed in the basement. Commissioner Brenner made the second. It was voted upon and carried, with one nay vote. Variance (b) was to allow the existing exits to be less than

the required diagonal distance apart. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried, with one nay.

(56) 11-06-56(a)(b) Project Knight, Ft. Wayne

Terry Tanner, architect, and John Petricola, Rockefeller Group, spoke as proponents. In variance (b), the request was to allow the restroom fixture count to be tied to the actual employee count instead of the calculated occupant load of the building. The restrooms were to be provided in the office and receiving area where the majority of the personnel are located. There was to be a restroom available on the other side for the convenience of those who drive the forklifts. Commissioner Christoffersen moved that no variance was required, with the second by Commissioner Ogle. It was voted upon and carried. Variance (a) was a request to allow the travel distance in the warehouse to exceed that allowed by code. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 12:04p.m. He then reconvened the meeting, calling it back to order at 1:04 p.m.

(57) 11-06-52(a)(b) White River Paintball Haunted House, Anderson

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Also present was Ben Nagengaft, owner. A steel frame and fabric structure had received a variance to omit sprinklers for use as a paintball facility. The request in (a) was to allow the facility to be used as a haunted house without sprinklers. The manufacturer had been contacted regarding adding sprinklers to the frame, and they advised that the frame may not be able to carry the weight of a sprinkler system. The owner noted a smoke and heat detection system had been installed as required by the variance granted to omit sprinklers for the use of the structure as a paintball facility. The facility has eleven exits, all interior walls are a maximum of 8 feet tall and were to be flame retardant. No hay bales were to be used. The staff, equipped with walkie-talkies, were trained in the emergency procedures and evacuations, and many staff are off-duty fire and police personnel. The request in (b) was to omit the emergency voice/alarm communications system. The proponent noted that the facility was equipped with an alarm system which would, when triggered, turn off all special effects and turn on house lights. Personnel are assigned to specific areas and are trained to guide guests safely to the nearest exits. They felt the voice system would cause confusion and delay exiting. The owner offered to have a water tanker on site with 2 firefighters assigned during hours of operation. The variance to allow the haunted house would be valid for six consecutive weeks only each year. Following discussion, Commissioner Ogle moved to approve both, with the second by Commissioner Brenner. Taken separately, variance (a) carried with three nay votes cast, and (b) was carried unanimously.

(58) 11-06-54 Yellow Retirement of N. Clinton, Ft. Wayne

Michael Christoffersen, Architectural Design, Inc, spoke as proponent. The request was to be allowed to install an NFPA 13D fire suppression system instead of the required 13R system. The local fire and the local building officials did not object. Following discussion, Commissioner Brown moved to approve with the condition that the system comply with the 2002 NFPA 13D sprinkler requirements. Commissioner Mitchell made the second. It was voted upon and carried.

- (59) 11-06-55 Allisonville Retirement Community, Fishers

Michael Christoffersen, Architectural Design, Inc, spoke as proponent. The request was to be allowed to install an NFPA 13D fire suppression system instead of the required 13R system. Following discussion, Commissioner Brown moved to approve with the condition that the system comply with the 2002 NFPA 13D sprinkler requirements. Commissioner Ogle made the second. It was voted upon and carried.

- (60) 11-06-57 Vance & Hines III, Brownsburg

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow the north side of the fully-sprinklered building to be 45 feet from the property line instead of the required 60 feet for an unlimited area building. The wall will be a 2-hour rated wall, and unprotected openings will be less than 10% of the exterior wall. The building is 32 feet tall. With the condition that the original signatures will be submitted to staff, Commissioner Hawkins moved to approve. Commissioner Brenner made the second. It was voted upon and carried.

- (61) 11-06-58 Panera Bakery Café #1076, Mishawaka

Christina Collester, RTM Consultants, spoke as proponent. An addition to the existing building for a drive-thru put them 80 square feet over allowable area, triggering a sprinkler requirement. The request was to omit sprinklers. The area being added is not public space. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (62) 11-06-59 10 East Washington Street, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. During inspection, the electrical junction box was found to be beneath existing storm and sanitary sewer lines. The request was to allow the box to be replaced with a NEMA 3R outdoor rated enclosure within the building. The relocation of the existing sewer lines would cause a logistical problem and cost hardship. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (63) 11-06-60 Zionsville Shopping Center Ice Cream Parlor, Zionsville

Timothy Callas, J&T Consulting, spoke as proponent. An ice cream parlor moved into an existing shopping mall divided into four fire areas with two 2-hour fire barriers separating spaces. The ice cream parlor will change the occupancy from M to A-2, requiring sprinklers. The request was to omit both sprinklers and the structurally independent fire wall. Following discussion, Commissioner Mitchell moved to approve contingent upon the owner following the request of the local fire marshal. Commissioner Ogle made the second. It was voted upon and carried.

- (64) 11-06-61(a)(b)(c) BBC Products, Franklin

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. In variance (a), a small existing warehouse will not have fire access roads within 150 feet of all sides of the building. The entire building is sprinklered, and can be upgraded to match the proposed rack arrangements. There are four man doors and three overhead doors for fire department access. Variance (b) is to allow the building to

have four man doors and three overhead doors for fire department access. Variance (c) is a request to omit the smoke and heat vents which are required since the system is not ESFR. Following discussion, Commissioner Mitchell moved to approve all, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (65) 11-06-63 Indiana National Guard Operational Readiness Training Complex #1, Edinburgh
- (66) 11-06-64 Indiana National Guard Operational Readiness Training Complex #2, Edinburgh

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The project, which was federally funded, was to have been built on federal land. Due to a change of circumstances, the project was moved to State land, and subject to the Indiana Accessibility Code. It has been the policy of the Army to deploy only those who are physically capable, and, since these units are for pre-deployment housing, accessibility requirements have not been included. Commissioner Christoffersen moved to approve both 11-06-63 and 11-06-64. Commissioner Ogle made the second. It was voted upon and carried.

- (67) 11-06-65 Asylum Haunted House, Indianapolis

Nathaniel Ridge, owner, spoke as proponent. He and Patrick Greathouse run a haunted house comprised of semi trailers which had operated in the same location for over ten years. The trailers are protected with fire extinguishers, smoke detectors, and a trained staff carrying radios and flashlights. The travel distance to an exit is twenty feet or less, and all exits are clearly marked with lighted signage. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried with one nay.

- (68) 11-06-66 Metropolitan School District of Bluffton-Harrison, Bluffton

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent, with Brian Bolander, architect. The small buildings are used during football season for concessions, and a little longer for the locker room building. The buildings are heated during use, then winterized. The request is to omit the vestibules which would take up a large amount of the square footage. Following discussion, Commissioner Hawkins noted that no single door goes into an area larger than 3,000 square feet. Since areas under 3,000 square feet do not require a vestibule, the variance was not required. Commissioner Christoffersen made the second. It was voted upon and carried.

- (69) 11-06-67 Culver Woodcraft Cabin, Culver

Mary Ellen Rudisel-Jordan, architect, spoke as proponent. The school runs a summer camp, and needed to construct another cabin. These are two room structures without heat or plumbing. They have a door at each end and windows which meet egress requirements along the sides. The building is one story, and has smoke detectors. There is no nearby water source, and the estimated cost for piping alone was \$13,000 without the lines. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried with one nay.

- (70) 11-06-69 Hibachi Grill and Supreme Buffet, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The restaurant was to move into a multi-tenant retail strip center. The original area separation walls may not meet current fire wall code. The request was to not comply with the allowable area requirements and allow the use of a 2-hour occupancy separation wall and to sprinkle the tenant space as an alternative. Commissioner Christoffersen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

(71) 11-06-70(a)(b) Vertellus Amide Facility Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a), an addition, classified as F-1, is being added to a manufacturing facility classified as an H-2. The request was to allow the use of a 2-hour fire barrier in lieu of a fire wall. The addition, which will be sprinklered, will use a mostly closed process with the same materials as the H-2, but a process which controls the hazards within the process itself will be used, resulting in the F-1 classification. There is a daily cleaning of the production area in order to comply with Food and Drug regulations. Variance (b) was a request to allow the existing exterior wall to remain nonrated, with the given openings, with the addition's exterior wall 2-hour rated to a height equal to the main roof of the existing building. Following discussion, Commissioner Christoffersen moved to approve both, with the second by Commissioner Hawkins. It was voted upon and carried.

6. **New Business – General.**

Discussion and Possible Commission Action – Nonfinal Orders of Dismissal

Arlington Green Apartments
Administrative Cause No. 10-34
Order – Indianapolis Fire Department
Nonfinal Order of Dismissal

Raintree Center
Administrative Cause No. 11-11
Order – Department of Homeland Security
Nonfinal Order of Dismissal

Grecian Garden Restaurant
Administrative Cause No. 11-07
Order – Indianapolis Fire Department
Nonfinal Order of Dismissal

Commissioner Corey moved to affirm the Nonfinal Orders of Dismissal. Commissioner Brenner made the second. It was voted upon and carried.

Discussion and Possible Commission Action – Appeals

North Meridian Hardware Interior Renovation
Appeal of Design Release #351524

Indiana Masonic Home Assisted Living Facility
Order – Franklin Dept. of Planning & Economic Development

Commissioner Corey moved to grant all of the appeals, with the second by Commissioner Mitchell. It was voted upon and carried.

7. Comments

There were no comments made.

8. **Adjournment.**

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 2:38 p.m.

APPROVED _____
David Hannum, Chairman